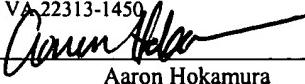


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By: 

Aaron Hokamura

DEC 2005  
PATENT  
Attorney Docket No.: 082368-003400US  
Client Reference No.: MED-X0204P-US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yoshiki SAWA et al.

Application No.: 10/528,346

Filed:

Int'l Application No.: PCT/JP02/13805

Int'l Filing Date: December 27, 2002

For: AGENTS FOR PROTECTION  
FROM NEOINTIMAL FORMATION IN  
GRAFTS COMPRISING AN  
NFKAPPAB DECOY

Examiner:

Art Unit:

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of references AA, AB, AF and AG are enclosed. Copies of references AC-AE, AH and AI are not enclosed since they were cited in an International Search Report in a corresponding application, and, as such, should have been provided directly by the WIPO under the exchange program between the USPTO, the EPO and the JPO. Reference AA was also cited in the International Search Report. A copy of the Search Report is enclosed.

Reference AG is not in the English language. A translation of the abstract is enclosed for the Examiner's reference.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Kevin Basman  
Reg. No. 34,774

TOWNSEND and TOWNSEND and CREW LLP  
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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet	1	of	2	Attorney Docket Number	082368-003400US
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### *Complete if Known*

Application Number	10/528,346
Filing Date	March 16, 2005
First Named Inventor	Sawa, Yoshiki, et. al.
Art Unit	
Examiner Name	

<b>U.S. PATENT DOCUMENTS</b>					
Examiner	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		

### **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				
	AA	EP	0 824 918	A1	02-25-1998	Fujisawa Pharmaceutical Co., Ltd.		<input type="checkbox"/>

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Kind Codes of U.S. Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
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Sheet

2

of 2

**Complete if Known**

Application Number	10/528,346
Filing Date	March 16, 2005
First Named Inventor	Sawa, Yoshiki, et. al.
Art Unit	
Examiner Name	

Attorney Docket Number 082368-003400US

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS			
Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	AB	BREUSS, J. M. et al.; "Activation of nuclear factor- $\kappa$ B significantly contributes to lumen loss in a rabbit iliac artery, balloon angioplasty model"; <u>Circulation</u> ; 2002; pp. 633-638; Vol. 105	
	AC	FEELY, B.T. et al.; "Nuclear factor-kappaB transcription factor decoy treatment inhibits graft coronary artery disease after cardiac transplantation in rodents"; <u>Transplantation</u> ; December 15, 2000; pp. 1560-1568; Vol. 70, No. 11	
	AD	HUYNH, Tam T. T. et al.; "Control of intimal hyperplasia by local modulation of NF- $\kappa$ B activity in experimental vein grafts"; <u>Surgical Forum</u> ; 1997; pp. 441-444; Vol. 48	
	AE	MANN, M.J. et al.; "Ex-vivo gene therapy of human vascular bypass grafts with E2F decoy: the PREVENT single-centre, randomised, controlled trial"; <u>Lancet</u> ; October 30, 1999; pp. 1493-1498; Vol. 354, No. 9189	
	AF	MORISHITA, Ryuichi et al.; "A gene therapy strategy using a transcription factor decoy of the E2F binding site inhibits smooth muscle proliferation <i>in vivo</i> "; <u>Proc. Natl. Acad. Sci. U.S.A.</u> ; June 1995; pp. 5855-5859; Vol. 92	
	AG	SHINTANI, T. et al.; <u>Journal of Japan Surgical Society</u> ; April 13, 2002; Abstract No. SF0432, pp. 237	✓
	AH	SHINTANI, T. et al.; "Intraoperative transfection of vein grafts with the NFkappaB decoy in a canine aortocoronary bypass model: a strategy to attenuate intimal hyperplasia"; <u>Ann. Thorac. Surg.</u> October 2002; pp. 1132-1137, discussion 1137-1138; Vol. 74, No. 4	
	AI	YOSHIMURA, S. et al.; "Inhibition of intimal hyperplasia after balloon injury in rat carotid artery model using cis-element 'decoy' of nuclear factor-kappaB binding site as a novel molecular strategy"; <u>Gene Ther.</u> ; November 2001; pp. 1635-1642; Vol. 8, No. 21	

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